

ORAL ARGUMENT NOT YET SCHEDULED

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN PETROLEUM INSTITUTE,

Petitioner,

v.

DEPARTMENT OF THE INTERIOR
and BUREAU OF OCEAN ENERGY
MANAGEMENT,

Respondents.

No. 24-1023 (consolidated with
No. 24-1024)

NONBINDING STATEMENT OF ISSUES TO BE RAISED

The American Petroleum Institute submits the following non-binding statement of issues intended to be raised:

1. Whether Interior adequately justified its decision to authorize only up to three lease sales in the Gulf of Mexico Program Area when the analysis in the record considered only five-sale or ten-sale scenarios.
2. Whether the Five Year Program relies on impermissible climate considerations.

3. Whether Interior adequately analyzed the Nation's energy needs when the Five Year Plan generically noted potential impacts on the Nation's energy needs from geopolitical instability but did not take into account specific current circumstances and explain how the Plan responds to them.

Respectfully submitted,

/s/ Sean Marotta

Sean Marotta

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March 14, 2024

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2024, I caused a copy of the foregoing to be filed by this Court's CM/ECF system, which will serve a copy on all registered users.

/s/ Sean Marotta

Sean Marotta